

ITEL

Transportation Services Group

April 23, 1979

RECORDATION NO. *10128-A* Filed 1425

APR 25 1979 - 1 50 PM

Honorable H.G. Homme

Acting Secretary

Interstate Commerce Commission

Washington, D.C. 20423

No. **9-115A091**

Date **APR 25 1979**

Fee **\$10.00**

ICC Washington, D. C.

Dear Sir:

Enclosed for filing with and recording by the Interstate Commerce Commission are six originals of a Release & Assignment dated as of April 27, 1979, between FMC Corporation, 4700 Northwest Front Avenue, Box 3616, Portland, Oregon 97208, and Itel Corporation, acting through its Rail Division, Two Embarcadero Center, San Francisco, California 94111.

The Release covers the following equipment:

50 50'6", XM, 70-ton boxcars numbered GBW 7000-7049,
both inclusive.

Also enclosed is this Company's check in the sum of \$10.00, payable to the Interstate Commerce Commission, being the prescribed fee for filing and recording the foregoing Release & Assignment.

Please return all additional copies of the enclosed counterparts not required by the Interstate Commerce Commission to David Schwartz, Esq., of Sullivan & Worcester, who will be delivering this letter on our behalf.

Sincerely,



Paul M. Willard
Counsel

PMW:msb

Enclosures

FEE OPERATION BR.
I.C.C.

APR 25 1 44 PM '79

RECEIVED

Copy to Carol Harris

RELEASE AND ASSIGNMENT

In consideration of \$1,883,410.00 and other valuable consideration, FMC Corporation, a Delaware corporation (the "Builder"), the Builder under a Conditional Sale Agreement dated as of February 7, 1979 (the "Conditional Sale Agreement") with Itel Corporation, Rail Division, a Delaware corporation ("Itel") recorded on February 22, 1979 with the Interstate Commerce Commission as recordation #10128, hereby releases and discharges Itel from any and all liability or other obligation which Itel may have under the Conditional Sale Agreement. Further, the Builder hereby assigns to Itel Fifty (50) boxcars numbered GBW 7000 thru GBW 7049 inclusive, which cars are covered by the Conditional Sale Agreement.

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Dated: April 27, 1979

FMC CORPORATION

APR 25 1979 - 1 50 PM

by

William R. Galbraith

William R. Galbraith

Division Vice President

(Corporate Seal)

ATTEST:

W. E. Gilbert
Assistant Secretary

STATE OF OREGON
COUNTY OF MULTNOMAH SS:

On April 27, 1979 before me personally appeared William R. Galbraith, to me personally known, who being by me duly sworn, says that he is the Division Vice President of FMC Corporation Marine and Rail Equipment Division, that the seal affixed to the foregoing instrument is the corporate seal of that corporation, that said instrument was signed and sealed on behalf of that corporation by authority of its Board of Directors, and he acknowledged that the execution of that instrument was the free act and deed of that corporation.

Barbara L. Masson
Notary Public

My Commission Expires March 20, 1982